

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA (Philadelphia)**

In Re:	:
Chad Williams	: Chapter 13
Debtor,	: Case No. 18-13585-MDC
-----	:
Chad Williams,	:
Movant,	:
v.	:
U.S. Bank Trust National Association, as Trustee of Bungalow Series F Trust,	:
Debtor,	: Motion to Vacate Order Granting Relief from Stay
and	:
William C. Miller, Esquire	: Hearing: 9/23/2021 at 11:00 AM
Trustee,	: Related to Docket No. 130
Respondents.	:

**OPPOSITION TO
DEBTOR'S MOTION TO VACATE THE ORDER GRANTING RELIEF
FROM THE AUTOMATIC STAY**

NOW COMES the Motion filed by the Debtor on August 27, 2021 at docket number 130 to Vacate the Order granting relief from stay entered August 5, 2021 at docket number 128. The within opposition is filed by PARKER McCAY P.A. attorneys for U.S. Bank Trust National Association, as Trustee of Bungalow Series F Trust ("U.S. Bank"), and avers as follows:

1. Admitted this bankruptcy case was filed May 31, 2018.
2. Admitted that U.S. Bank filed a motion for relief from stay on October 31, 2018.

3. It is admitted a stipulation of settlement was entered on January 4, 2019, but it is denied that the terms of the stipulation permitted the debtor to cure the arrears through an amended plan. By way of further response, the terms of said stipulation provided for the debtor to cure said arrears over a six (6) month period. *See* docket number 45:

4. It is admitted a certification of default was filed by U.S. Bank on July 27, 2021. The basis of the certification of default was that the debtor was in default for the April 1, 2021 payment through and including the July 1, 2021 payment of \$694.96 each – less \$615.36 in suspense. The total arrears were \$2,164.48 (as of July 27, 2021).

5. It is admitted the order granting relief from stay was entered August 5, 2021.

6. Denied. The debtor has made 2 payments.

7. Denied.

8. As requested, on August 23, 2021, counsel for U.S. Bank sent debtor's attorney an email providing the accounting as requested and responded to proof of payments:

Hi Brad,

You are probably going to have to file the motion. The amount of your proof of payments do not bring the account current post-petition. The amount to cure was \$2,164.48, then you have to add the August payment of \$694.96 raising the arrears to \$2,859.44. Then reduce that by the 2 payments of \$750.00 on 7/28 and \$750.00 on 8/6, that leaves a few months of arrears still existing.

9. Neither admitted nor denied. **The arrears under the stipulation is presently \$2,054.40.** This amount represents payments of \$694.96 each due July 1, 2021, August 1, 2021 and September 1, 2021, minus suspense of \$30.48.

WHEREFORE, U.S. Bank Trust National Association, as Trustee of Bungalow Series F Trust requests entry of the attached Order denying the debtor's motion to vacate the Order Granting Relief from the Automatic Stay.

Dated: September 8, 2021

By: /s/ Brian E. Caine
BRIAN E. CAINE, ESQ.
ATTORNEY FOR RESPONDENT
PA ID# 86057
Parker McCay P.A.
9000 Midlantic Drive, Ste 300
P.O. Box 5054
Mt. Laurel, NJ 08054
(856) 985-4059
bcaine@parkermccay.com